

**REMARKS**

Applicants wish to thank the Examiner for considering the present application. In the Office Action dated September 17, 2008, claims 1-5 are pending in the application. Applicants respectfully request the Examiner for a reconsideration of the rejections.

**REJECTION UNDER 35 U.S.C. § 103**

Claims 1-5 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Rosen (U.S. Pat. No. 4,831,619) in view of Eng (U.S. Pat. No. 5,963,557). This rejection is respectfully traversed.

Claim 1 recites integrating an area-wide broadcast downlink beam to be used to support point-to-point transmissions of one or more of the multiple spot beams whose transmission capacity has been exhausted. The Examiner points to column 4, lines 30-41, Fig. 9, zones 31, 33, 35 and 37 as well as column 2, lines 19-40. Applicants admit that point-to-point and broadcast service is provided in the *Rosen* reference as described in column 4.

On page 3 of the Office Action, the Examiner states that Rosen does not explicitly show that the downlink beam is used to support point-to-point transmissions of one or more of the multiple spot beams whose transmission capacity has been exhausted. The Examiner then points to column 9, lines 47-56 and column 19, lines 10-16 of the Eng reference for his teaching. However, Applicants have reviewed this portion and can find no teaching or suggestion for satellite beams. More specifically, there is no teaching or suggestion for what to do when transmissions from one or more multiple spot beams whose transmission capacity has been exhausted. Column 9, lines 47-56 states:

“The multiple access method can simplify multiple channel support for expanded bandwidth demand and can maximize the number of supported

subscriber stations. To increase the capacity, each upstream payload channel or each downstream payload channel can be added to the network. To minimize contention and lower the access delay of the multiple access network, the stream of mini-slots in the upstream control channel can be enhanced by allocating a wider bandwidth, or assigning some subscriber stations to different upstream control channels.”

This passage seems to suggest that, to minimize contention in a network wider bandwidth or assigning some subscriber stations to different upstream channels may be provided. However, this passage has no teaching or suggestion of wide-area beams and point-to-point transmissions. Likewise,

“Note also that it is easier to increase the payload capacity by simply adding upstream payload channels. The head end does not need equipment for such added upstream payload channels that can distinguish control information (i.e., mini-slot boundaries and contents) from payload information (i.e., slot boundaries and contents) for such added channels as in the conventional system.”

This passage also does not refer to, teach or suggest the use of spot beams and wide-area beams. This passage seems to imply that adding upstream payload channels is easier. However, this teaching is against the principles of the present disclosure which teaching integrating an area-wide broadcast downlink beam to be used to support point-to-point transmissions of one or more of the multiple spot beams whose transmission capacity has been exhausted. Simply adding upstream payload channels is not an option for a satellite system.

Therefore, the Eng reference does not teach or suggest that an area-wide downlink beam is used to support the point-to-point transmissions of one or more multiple spot beams whose transmission capacity has been exhausted. The combination of the Rosen and Eng references also fails to teach or suggest the combination. Therefore, Applicants respectfully request the Examiner to reconsider the rejection of claim 1.

Claims 2-5 depend upon allowable independent claim 1 and are also allowable for at least the reasons set forth above.

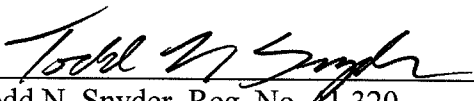
**CONCLUSION**

In light of the remarks above, Applicants submit that all rejections are now overcome. The application is now in condition for allowance and expeditious notice thereof is earnestly solicited. Should the Examiner have any questions or comments, the Examiner is respectfully requested to contact the undersigned attorney.

Should any fees be associated with this submission, please charge Deposit Account 50-0383.

Respectfully submitted,

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